

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

E. JEAN CARROLL,

Plaintiff,

v.

DONALD J. TRUMP,
in his personal capacity,

Defendant.

Case No. 1:20-cv-7311 (LAK)

**MEMORANDUM OF LAW IN OPPOSITION TO
RAJ PATEL’S MOTION FOR PERMISSIVE INTERVENTION**

On October 27, 2020, Raj K. Patel (“Mr. Patel”) moved the Court, under Federal Rule of Civil Procedure 24(b)(1)(B), to permissively intervene in this matter. (Dkt. 33). Federal Rule of Civil Procedure 24(b) sets out the standard for permissive intervention: “On a timely motion, the court may permit anyone to intervene who: (A) is given a conditional right to intervene by a federal statute; or (B) has a claim or defense that shares with the main action a common question of law or fact.” Fed. R. Civ. P. 24(b)(1). That standard is plainly not satisfied.

Mr. Patel recently filed a similar motion for permissive intervention in another pending matter in which we are counsel, *Doe v. The Trump Corp.*, No. 1:18-cv-09936 (S.D.N.Y. May 22, 2020) (Dkt. 268). Judge Schofield denied that motion, finding that Mr. Patel’s allegations did not “demonstrate a common question of law or fact sufficient to grant permissive intervention.” *Id.* (Dkt. 272); *see also Doe v. Trump Corp.*, No. 20-1706 (2d Cir. Oct. 9, 2020) (Dkt. 47) (denying Mr. Patel’s appeal of the district court’s order). Mr. Patel’s motion should be denied for similar reasons here.

Dated: October 27, 2020

Respectfully submitted,



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